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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,) Case No. CR 08-0289 MAG

Plaintiff,)

v.)

LAURA E. PRUITT,)

Defendant.)

**DECLARATION OF DONALD
MAGILLIGAN IN SUPPORT OF
UNITED STATES' MOTION FOR
SUMMONS**

I, Donald Magilligan, hereby declare as follows:

1. I am a law clerk in the United States Attorney's Office assigned to the prosecution of this case. I have received the following information from Special Agents employed by the Department of the Treasury, Office of the Inspector General for Tax Administration.

2. From December of 2006 through March of 2007, Laura E. Pruitt ("Defendant") worked for the Association of Community Organizations for Reform Now ("ACORN"). ACORN provides various community services including helping individuals file their income tax returns.

3. Defendant's responsibilities at ACORN included assisting with the preparation of, processing of, and data entry for clients' federal and state income tax returns. Defendant needed

1 and possessed access to ACORN's computer system to fulfill her duties. When an ACORN
2 employee logs into the system and makes alterations, the computer system records the
3 employee's name and the date and time of the alteration.

4 4. On March 20, 2007, ACORN employee M.Z. assisted victim R.Y.G. with his 2006 tax
5 return. According to ACORN's computer system, M.Z. entered R.Y.G.'s tax return into the
6 computer system at 5:15 p.m. Three hours later, Defendant logged into the system and altered
7 R.Y.G.'s return.

8 5. On April 13, 2007, R.Y.G.'s tax refund was directly deposited into a U.S. Bank account
9 (account ending in # 7657). R.Y.G. does not have a bank account at U.S. Bank—in fact, he
10 requested his refund in the form of a paper check.

11 6. The U.S. Bank account number (ending in # 7657) is registered to Defendant. She opened
12 it on March 12, 2007. Approximately one month later, R.Y.G.'s refund was directly deposited
13 into the account, and Defendant closed it one month after that on May 24, 2007.

14 7. On January 16, 2008, Special Agent Matthew Lampo of the Treasury Department's Office
15 of the Inspector-General ("Lampo") interviewed Defendant at her residence. Defendant
16 admitted that she used ACORN's computer systems to direct another individual's tax refund into
17 her own bank account.

18 8. I declare under penalty of perjury according to the laws of the United States that the
19 foregoing is true and correct to the best of my knowledge and belief.

20
21 Executed May 8, 2008, at San Francisco, California.

22
23
24 _____/s/
25 DONALD MAGILLIGAN
26 Law Clerk
27 United States Attorney's Office
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